

United States District Court

E-FILING

NORTHERN

DISTRICT OF

CALIFORNIA

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Jose RUIZ

(Name and Address of Defendant)

11-70250

HRL

CASE NUMBER:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On a date unknown but no later than, December 17, 2010, in Monterey County in the Northern District of California defendant(s) was, (Track Statutory Language of Offense)

Found in and unlawfully re-entered the United States after deportation, without the permission of the Attorney General or the Secretary of Homeland Security

in violation of Title 8 United States Code, Section(s) 1326
I further state that I am a(n) Deportation Officer and that this complaint is based on the following
facts:
Official Title

SEE ATTACHED AFFIDAVIT

MAXIMUM PENALTIES: up to 20 years imprisonment, \$250,000.00 fine, 3 year TSR, \$100 SAF

REQUESTED PROCESS/BAIL: No bail warrant (government will request detention).

APPROVED AS TO FORM:

(SAUSA DeBERRY)

ASSISTANT UNITED STATES ATTORNEY

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Ant P. Ruiz

Signature of Complainant

Sworn to before me and subscribed in my presence,

3/10/11

Date

at

San Jose, California

City and State

HOWARD R. LLOYD
United States Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

RE: RUIZ, Jose

A94 452 273

I am a Deportation Officer of the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) and have been so employed since September 04, 2005. I am currently assigned to the Violent Criminal Alien Section (VCAS) of the San Jose Sub-Office. In such capacity, I have reviewed the official file relating to the above named individual, which attests to the following:

- (1) Mr. RUIZ is a 28-year-old male who has used three (3) aliases in the past.
- (2) Mr. RUIZ has been assigned one (1) Alien Registration number of A94 452 273, FBI number of 559768KC1, California Criminal Information Index number of A26913625, and a California Department of Corrections and Rehabilitation number of F70492.
- (3) Mr. RUIZ is a native of El Salvador and a citizen of El Salvador since birth. A check through official records shows that he was arrested and deported on one (1) occasion from the United States:

DATE

February 10, 2010

PLACE OF DEPORTATION

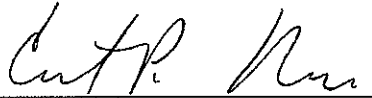
Williams Gateway Airport, Chandler, Arizona

- (4) Mr. RUIZ last entered the United States at or near an unknown place on or after February 10, 2010, by crossing the international border without inspection subsequent to deportation.
- (5) Mr. RUIZ was, on May 11, 2006, convicted in the Superior Court of California, in and for the County of Riverside, for the offense of POSSESSING KNOWN STOLEN PROPERTY, a felony, in violation of Section 496(D) of the California Penal Code, and was sentenced to ninety (90) days to be served on consecutive weekends.
- (6) Mr. RUIZ was, on January 30, 2007, convicted in the Superior Court of California, in and for the County of Fresno, for the offense of SECOND DEGREE ROBBERY, an aggravated felony, in violation of Section 211 of the California Penal Code, and was sentenced to two (2) years confinement. Probation was subsequently revoked, however, after Mr. RUIZ was convicted on January 30, 2007, for ROBBERY. On December 07, 2009, Mr. RUIZ was sentenced to an additional sixteen (16) months imprisonment.

RE: RUIZ, Jose

A94 452 273

- (7) Mr. RUIZ, on a date unknown, but no later than December 17, 2010, in Monterey County in the Northern District of California, was found to be unlawfully present in the United States, after prior arrest and deportation, without the permission of the Attorney General or the Secretary of Homeland Security, in violation of Title 8, Section 1326.
- (8) On March 7, 2011, Mr. RUIZ's fingerprints, taken as part of the standard deportation procedures, were compared to those from Mr. RUIZ's official alien file A94 452 273. The fingerprints were found to have been made by one and the same person.
- (9) On the basis of the above information, there is probable cause to believe that Mr. RUIZ illegally re-entered the United States, in violation of Title 8, United States Code, Section 1326.



COURTNEY P. NORRIS

Deportation Officer

Immigration and Customs Enforcement

Subscribed and sworn to before me this

10 day of March, 2011



HOWARD R. LLOYD
United States Magistrate Judge